

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE: Victor C. DeMaggio

Case No. 06-44665-TJT
Chapter 13
HON. Thomas J. Tucker

Debtor.

_____ /

NOTICE OF POST-CONFIRMATION PLAN MODIFICATION

NOW COMES Victor C. DeMaggio, Debtor herein, by and through his attorney, CHARLES J. SCHNEIDER, and proposes the following post-confirmation plan modifications:

1. To increase the Chapter 13 plan payment to \$334.82, per semi-monthly, effective 10/13/2011, in order for timely plan completion. Amended Schedules I and J are being filed contemporaneously with this plan modification.
2. To surrender the condominium located at 2419 Riverside Drive, #106, Trenton, Michigan. Creditor has filed a Motion to Lift the Automatic Stay, identified as docket entry 109 in this Court's docket.
3. This plan modification does not adversely affect Classes One, Two, Three, Five, Six, or Eight.
4. Liquidation Analysis:

N. LIQUIDATION ANALYSIS AND STATEMENT OF VALUE OF ENCUMBERED PROPERTY [LBR 3015-1(b)(1)]:

TYPE OF PROPERTY	FAIR MARKET VALUE	LIENS	DEBTOR'S SHARE OF EQUITY*	EXEMPT AMOUNT	NON-EXEMPT AMOUNT
PERSONAL RESIDENCE	260,000.00	226,844.39	14,155.61	14,155.61	0.00
VEHICLES	14,072.19	12,572.19	1,500.00	1,500.00	0.00
HHG/PERSONAL EFFECTS	2,000.00	0.00	2,000.00	2,000.00	0.00
JEWELRY	200.00	0.00	200.00	200.00	0.00
CASH/BANK ACCOUNTS	2,459.44	0.00	2,459.44	2,459.44	0.00
OTHER	76,212.36	12,147.94	64,064.42	64,064.42	0.00

*Debtor has partial interest in 1 property. "Debtor's Share of Equity" column has been adjusted accordingly.

Amount available upon liquidation	\$	0.00
Less administrative expenses and costs	\$	0.00
Less priority claims.....	\$	2,000.00
Amount Available in Chapter 7	\$	0.00

Your rights may be affected. You should read these papers carefully and discuss them with your

P:\LNTPA Files\Case\Modification of Plan\DeMaggio, Victor 102011.WPD

attorney. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the POST-CONFIRMATION PLAN MODIFICATION, or if you want the court to consider your views on the modification, within TWENTY-ONE (21) days from the date of service of this modification, you or your attorney must:

1. File a written response or an answer explaining your position with¹:
United States Bankruptcy Court
211 West Fort Street, Suite 2100
Detroit, MI 48226

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the **TWENTY FIRST (21st)** day from the date of service of this modification.

You must also mail a copy to:

Charles J. Schneider, Attorney for Debtor(s), 39319 Plymouth Rd., Suite 1, Livonia, MI 48150
Victor C. DeMaggio, , 2419 Riverside Dr, Apt. 106, Trenton, MI 48183
Chapter 13 Trustee, Buhl Building, 535 Griswold, Ste. 2100, Detroit, MI 48226
United States Trustee, 211 West Fort Street, Suite 700, Detroit, MI 48226

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought and may enter an order granting that relief.

/s/ Lisa M. Nedzlek
CHARLES J. SCHNEIDER (P27598)
MELISSA A. CAOUCETTE (P62729)
LISA M. NEDZLEK (P71407)
RYAN E. LADLEY (P72694)
Attorneys for Debtor(s)
39319 Plymouth Rd., Ste. 1
Livonia, MI 48150
(734) 591-4890
notices@cschneiderlaw.com

Dated: October 13, 2011

¹Response or answer must comply with F.R.Civ.P. 8(b), (c) and (e)

WORKSHEET

1. Length of Plan is _____ weeks; 60 months; _____ years.
- Debtor #1:
(Semi-Monthly)
2. \$ 165.83 per pay period x 120 pay periods per Plan = \$ 19,899.00 total per Plan
- Debtor #2:
()
- \$ _____ per pay period x _____ pay periods per Plan = \$ _____ total per Plan
3. \$ _____ per period x _____ periods in Plan = _____
4. Lump Sums: _____ 0.00
5. Equals total to be paid into the Plan _____ 19,899.00
6. Estimated trustee's fees _____ 1,134.00
7. Attorney fees and costs _____ 3,000.00 (for purposes of determining feasibility only)
8. Total priority claims _____ 2,000.00
9. Total installment mortgage or other long-term debt payments _____ 0.00
10. Total of arrearage including interest _____ 0.00
11. Total secured claims, including interest _____ 13,752.11
- Total of items 6 through 11 \$ _____ 19,886.11
12. Funds available for unsecured creditors (item 5 minus item 11) \$ _____ 12.89
13. Total unsecured claims (if all file) \$ _____ 27,163.09
14. Estimated percentage to unsecured creditors under Plan (item 12 divided by item 13) _____ 0 %
15. Estimated dividend to general unsecured creditors if Chapter 7, (see liquidation analysis attached) \$ _____ 0.00

COMMENTS:

Please see attached plan calculation.

**UNITED STATES BANKRUPTCY COURT
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IN RE: Victor C. DeMaggio

Case No. 06-44665-TJT
Chapter 13
HON. Thomas J. Tucker

Debtor.

NOTICE OF DEADLINE TO OBJECT TO PROPOSED CHAPTER 13 PLAN MODIFICATION

The deadline to file an objection to the proposed chapter 13 plan modification is 21 days after service.

If no timely objection is filed, the proponent of the plan modification may file a certificate of no objection and the modified plan will then become effective.

If a timely objection is filed, the Court will set the matter for hearing and give notice of the hearing to the debtor, the proponent of the plan modification, the trustee and any objecting parties. In that event, the plan modifications will become effective when the Court enters an order overruling or resolving all objections.

Objections to the attached proposed chapter 13 plan modification shall be served on the following:

Charles J. Schneider, Attorney for Debtor, 39319 Plymouth Rd., Suite 1, Livonia, MI 48150
Victor C. DeMaggio, , 2419 Riverside Dr, Apt. 106, Trenton, MI 48183
Chapter 13 Trustee, Buhl Building, 535 Griswold, Ste. 2100, Detroit, MI 48226
United States Trustee, 211 West Fort Street, Suite 700, Detroit, MI 48226

/s/ Lisa M. Nedzlek
CHARLES J. SCHNEIDER (P27598)
MELISSA A. CAOUCETTE (P62729)
LISA M. NEDZLEK (P71407)
RYAN E. LADLEY (P72694)
Attorneys for Debtor(s)
39319 Plymouth Rd., Ste. 1
Livonia, MI 48150
(734) 591-4890
notices@cschneiderlaw.com

Dated: October 13, 2011

**UNITED STATES BANKRUPTCY COURT
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_____ /

PROOF OF SERVICE

Sandra Delozier, certifies that she is employed by the Law Office of Charles J. Schneider, P.C., attorney for Debtor, and states that on October 13, 2011, she served a copy of NOTICE OF POST-CONFIRMATION PLAN MODIFICATION to:

Tammy L. Terry
Buhl Building
535 Griswold, Ste. 2100
Detroit, MI 48226

all parties indicated on the attached dated court matrix

Electronically pursuant to the court notice of service and to those not electronically registered by placing documents in an envelope, correctly addressed and placing same in the U.S. Mail with postage prepaid.

/s/ Sandra.Delozier

SANDRA DELOZIER
LAW OFFICE OF CHARLES J. SCHNEIDER, P.C.
39319 Plymouth Rd., Ste. 1
Livonia, MI 48150
(734) 591-4890
notices@cschneiderlaw.com

Label Matrix for local noticing
0645-2
Case 06-44665-tjt
Eastern District of Michigan
Detroit
Thu Oct 13 13:24:35 EDT 2011

2
211 West Fort Street
Detroit, MI 48226-3244

Carol DeMaggio
3722 Steiner St
Trenton, MI 48183-3987

Fifth Third Bank
1850 E Paris Ave SE
MD#ROPS05/Bankruptcy
Grand Rapids MI 49546-6253

Ford Motor Company
c/o Lawrence M. Dudek, Esq.
150 W. Jefferson, Suite 2500
Detroit, MI 48226-4415
dudek@millercanfield.com

Gregg L. Kabacinski & Assoc.
Attn: Officer for receipt of Process
1530 Rochester Road
Royal Oak, MI 48067-1327

Kilpatrick & Associates PC
903 N. Opdyke
Suite C
Auburn Hills, MI 48326-2693

Kohls/Chase Bank USA, N.A.
c/o Creditors Bankruptcy Service
P.O. Box 740933
Dallas, TX 75374-0933

Wayne County Friend of Court
Child Support Unit
250 Penobscot Building
Detroit, MI 48226-4014

Lisa Nedzlek
39319 Plymouth Rd
Livonia, MI 48150-1059

Fidelity Investments Institutional Operation
Lawrence M. Dudek, Esq.
Miller, Canfield, Paddock & Stone, PLC
150 W. Jefferson, Suite 2500
Detroit, MI 48226-4415

B-Real, LLC/Chase Bank USA, N.A.
Mail Stop 550
2101 Fourth Ave., Suite 1030
Seattle, WA 98121-2317

Chase
Attn: Officer for receipt of Process
PO Box 94014
Palatine, IL 60094-4014

(p)FIFTH THIRD BANK
MD# ROPS05 BANKRUPTCY DEPT
1850 EAST PARIS SE
GRAND RAPIDS MI 49546-6253

Ford Motor Company TESPHE
c/o Fidelity Investments
82 Devonshire St.
Boston, MA 02109-3605

Guaranty Residential Lending
Attn: Officer for receipt of Process
PO Box 40
Austin, TX 78767-0040

Kohl's Department Store (BK)
Attn: Officer for receipt of Process
PO Box 740933
Dallas, TX 75374-0933

Quest Diagnostics
Attn: Officer for receipt of Process
PO Box 740020
Cincinnati, OH 45274-0020

eCAST Settlement Corporation
Assignee of Household Bank
P.O. Box 7247-6971
Philadelphia, PA 19170-6971

Tammy L. Terry
Buhl Building
535 Griswold
Suite 2100
Detroit, MI 48226-3681

Ford Motor Company
Lawrence M. Dudek, Esq.
Miller, Canfield, Paddock & Stone, PLC
150 W. Jefferson, Suite 2500
Detroit, MI 48226-4415

Best Buy
Officer of Receipt of Process
PO Box 15521
Wilmington, DE 19850-5521

Countrywide Funding Corp
Attn: Officer for receipt of Process
PO Box 10229
Van Nuys, CA 91410-0229

Ford Motor Company
State Street Trustee FBO SSIP
Ford National Employee Services Center
Box 223637
Pittsburgh, PA 15251-2637

(p)FORD MOTOR CREDIT COMPANY
PO BOX 6275
DEARBORN MI 48121-6275

Household Bank (SB), N.A.
c/o Bass & Associates, P.C.
3936 E. Ft. Lowell Road, Suite #200
Tucson, AZ 85712-1083

Kohls/Chase Bank USA
PO Box 740933
Dallas TX 75374-0933

Riverside Condominium Association
c/o KS Management Services Inc.
PO Box 62194
Phoenix, AZ 85082-2194

Charles J. Schneider
39319 Plymouth Rd.
Ste. 1
Livonia, MI 48150-1064

Victor C. DeMaggio
2419 Riverside Dr.
Apt. 106
Trenton, MI 48183-2757

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Fifth Third Bank
Attn: Officer for receipt of Process P.
38 Fountain Square Plaza
P.O. Box 630778
Cincinnati, OH 45263

Ford Motor Credit Company
Attn: Officer for receipt of Process
17197 North Laurel Park Drive
Suite 402
Livonia, MI 48152

(d)Ford Motor Credit Company
Attn: Officer for receipt of Process
PO Box 537901
Livonia, MI 48153

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) Bank of America, N.A.

(u)BAC Home Loans Servicing LP

(u)Countrywide Home Loans Servicing, L.P.

(u)Daniel M. McDermott

End of Label Matrix
Mailable recipients 29
Bypassed recipients 4
Total 33



13Network

Enter Case Number, Name, Social Security Number, or @1st Address Line :



CHARLES SCHNEIDER 7345914890 Case Query Calendar

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Recently Accessed Cases 06-44665-TJT VICTOR C DE

06-44665-TJT VICTOR C DEMAGGIO (xxx-xx-5529) 2419 RIVERSIDE DR • • TRENTON • MI • 48183 \$165.83 SM/ Bar Date(s): 4/9/2007 (has passed) 7/8/2007



Trustee: Tammy L. Terry

Attorney: CHARLES J SCHNEIDER

Confirmed: 2/27/2007

Case Status: Active, Open Case

The data on these pages has not been audited and is provided for general information only.

56 Month(s) since Confirmation UP = \$0.00 TPI = \$19,767.81 BOH = \$0.00

Line	Name	Claimed Amount	Mortgage Due	Coll / Value	Interest Rate	Monthly Payment	To Be Paid	Mo
ATTORNEY FEE								
1	CHARLES J SCHNEIDER	\$600.00		\$600.00			\$600.00	
A-ARREARS								
2	ADDED CREDITOR							
3	ADDED CREDITOR							
E-LEASE								
4	ADDED CREDITOR							
F-ADM EXP CLAIM								
5	ADDED CREDITOR							
G-CONTINUING Lease, Secured or Vehicle								
6	ADDED CREDITOR							
7	ADDED CREDITOR							
GAP Mortgage or Lease								
8	ADDED CREDITOR							
M-MORTGAGE								
9	ADDED CREDITOR							
10	ADDED CREDITOR							
P-PRIORITY								
11	ADDED CREDITOR							
12	ADDED CREDITOR							
S-SECURED								
13	FORD MOTOR COMPANY STATE STREET TRUSTEE FBO SSIP	\$8,820.59		\$1,339.61	4.5000	\$338.05	\$1,352.19	3
14	FORD MOTOR COMPANY STATE STREET TRUSTEE FBO SSIP	\$3,327.35		\$560.57	7.0000	\$142.19	\$568.77	4
15	ADDED CREDITOR							
16	ADDED CREDITOR							
V- VEHICLE								
17	ADDED CREDITOR							
18	ADDED CREDITOR							
WATER BILL								
19	ADDED CREDITOR							
ASSOCIATION DUES CONTINUING								
20	ADDED CREDITOR							
21	ADDED CREDITOR							
All Unsecured Creditors								
22		Total Unsecured			Percent Allowed		Amount Allowed	
		12.89			100		\$12.89	

Change Line# 0

OK

Plan Terms 4

Calc

Unsecured % 100

Calc

Due to Creditors:

\$0.00

\$2,678.49

Restart

In from Debtor:

\$669.64

\$2,678.56

Trustee's % 5.4

Lump Sum \$ 0.00

Delete Line 0

OK

Debtor 1 Pay Schedules

Who's Paying	Amount	Schedule	Upd Calc
FORD MOTOR COMP	\$334.82	SEMI-MONTHLY	\$?
VICTOR C DEMAGG	\$0.00	WEEKLY	\$?

Debtor 2 Pay Schedules

Who's Paying	Amount	Schedule	Upd Calc
DEBTOR	\$0.00	WEEKLY	\$?

Tammy L. Terry - Detroit, MI

Your Chapter 13 Information Management System

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